

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, NORTHERN DIVISION

PAUL DAVID SHOEMAKER et al., Plaintiffs, vs. GLEN R. DAWSON et al., Defendants.	ORDER ADOPTING REPORT AND RECOMMENDATION Case No. 1:11-cv-115 CW District Judge Clark Waddoups Magistrate Judge Samuel Alba
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This case was assigned to United States District Court Judge Clark Waddoups, who then referred it to United States Magistrate Judge Samuel Alba under 28 U.S.C. § 636(b)(1)(B). On March 20, 2012, Judge Alba issued a Report and Recommendation, recommending that the four pending motions to dismiss be granted and that a motion filed by the plaintiffs' be denied. That motion is titled Motion and Application by Special Appearance and Special Deposit for Complaint for Damages for Breach of Fiduciary Duty Re: Glen R. Dawson's Ruling 8 July 2011.


The plaintiffs filed no objection to the report and recommendation. With respect to the *Rooker-Feldman* doctrine, both the Utah trial court case and the appellate case have been dismissed. *See Shoemaker v. Shoemaker*, 2011 UT App 391, 265 P.3d 850. Because the state proceedings have ended, application of the doctrine is appropriate in this case. *See Erlandson v. Northglenn Mun. Ct.*, 528 F.3d 785, 786 (10th Cir. 2008) (stating the *Rooker-Feldman* doctrine "is confined to cases brought after the state proceedings have ended"). Under the *Younger* abstention doctrine, the court further concludes the State of Washington provides an appropriate forum to the extent there are any ongoing proceedings related to the divorce and child-custody matters at issue.

Accordingly, the court hereby APPROVES AND ADOPTS Judge Alba's Report and

Recommendation in its entirety.¹ Because the court lacks jurisdiction to hear the case, it hereby dismisses the action. Each party shall bear one's own costs and fees.

SO ORDERED this 19th day of June, 2012.

BY THE COURT:


Clark Waddoups
United States District Judge

¹ Docket No. 21.